



Health Care Availability and Access Committee

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09500HB0378ham001

LRB095 06245 DRJ 31761 a

1 AMENDMENT TO HOUSE BILL 378

2 AMENDMENT NO. _____. Amend House Bill 378 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the MRSA
5 Screening and Reporting Act.

6 Section 5. MRSA control program. In order to improve the
7 prevention of hospital-associated bloodstream infections due
8 to methicillin-resistant Staphylococcus aureus ("MRSA"), every
9 hospital shall establish an MRSA control program that requires:

10 (1) Identification of all MRSA-colonized patients in
11 all intensive care units, and at-risk patients identified
12 by the hospital, through active surveillance testing.

13 (2) Isolation of identified MRSA-colonized or
14 MRSA-infected patients in an appropriate manner.

15 (3) Strict adherence to hand washing and hygiene
16 guidelines.

1 (4) Maintenance of records and reporting of cases under
2 Section 10 of this Act.

3 Section 10. Reports to Department of Public Health.

4 (a) For all patients who are identified with nosocomial *S.*
5 *aureus* bloodstream infection or asymptomatic colonization due
6 to MRSA pursuant to Section 5, the Department of Public Health
7 shall require the annual reporting of such cases as a
8 communicable disease or condition. The report shall include the
9 total numbers of all nosocomial *S. aureus* bloodstream
10 infections as well as subsets due to MRSA or MSSA, defined as
11 those *S. aureus* bloodstream infections that are acquired during
12 the initial stay in the hospital with onset of symptoms after
13 72 hours in the hospital or that are present upon readmission
14 to the hospital within 30 days after discharge from the prior
15 stay. The Department shall compile aggregate data from all
16 hospitals for all such patients and shall make such data
17 available on its website and in all reports on health
18 statistics and reportable communicable disease cases in
19 Illinois.

20 (b) The Department of Public Health shall establish by
21 regulation a list of those communicable diseases and conditions
22 for which annual reporting of specific data shall be required.

23 (c) After October 1, 2007, such reportable diseases and
24 conditions shall include the total number of infections due to
25 methicillin-resistant *Staphylococcus aureus* (MRSA) that are

1 (1) present on admission to a hospital and (2) present on
2 discharge from but not present on admission to a hospital,
3 reported separately, as compiled from diagnostic codes
4 contained in hospital discharge data provided to the
5 Department; provided that such reporting requirement shall
6 apply only for patients in all intensive care units and other
7 at-risk patients identified by hospitals for active
8 surveillance testing for MRSA. The Department is authorized to
9 require hospitals or any association of hospitals, after
10 October 1, 2007, to submit data to the Department that is coded
11 as "present on admission" and "present on discharge".

12 Section 90. The Regulatory Sunset Act is amended by
13 changing Section 4.21 as follows:

14 (5 ILCS 80/4.21)

15 Sec. 4.21. Acts repealed on January 1, 2011. The following
16 Acts are repealed on January 1, 2011:

17 The Fire Equipment Distributor and Employee Regulation Act
18 of 2000.

19 The Radiation Protection Act of 1990.

20 The MRSA Screening and Reporting Act.

21 (Source: P.A. 91-752, eff. 6-2-00; 91-835, eff. 6-16-00; 92-16,
22 eff. 6-28-01.)

23 Section 95. The Hospital Licensing Act is amended by

1 changing Section 6.08 as follows:

2 (210 ILCS 85/6.08) (from Ch. 111 1/2, par. 147.08)

3 Sec. 6.08. (a) Every hospital shall provide notification as
4 required in this Section to police officers, firefighters,
5 emergency medical technicians, and ambulance personnel who
6 have provided or are about to provide emergency care or life
7 support services to a patient who has been diagnosed as having
8 a dangerous communicable or infectious disease. Such
9 notification shall not include the name of the patient, and the
10 emergency services provider agency and any person receiving
11 such notification shall treat the information received as a
12 confidential medical record.

13 (b) The Department shall establish by regulation a list of
14 those communicable reportable diseases and conditions for
15 which notification shall be provided.

16 (b-5) The Department shall establish by regulation a list
17 of those communicable diseases and conditions for which annual
18 reporting of specific data shall be required. This subsection
19 (b-5) is inoperative after December 31, 2010.

20 (b-10) After October 1, 2007, such reportable diseases and
21 conditions shall include the total number of infections due to
22 methicillin-resistant Staphylococcus aureus (MRSA) that are
23 (1) present on admission to a hospital and (2) present on
24 discharge from but not present on admission to a hospital,
25 reported separately, as compiled from diagnostic codes

1 contained in hospital discharge data provided to the
2 Department; provided that such reporting requirement shall
3 apply only for patients in all intensive care units and other
4 at-risk patients identified by hospitals for active
5 surveillance testing for MRSA. The Department is authorized to
6 require hospitals or any association of hospitals, after
7 October 1, 2007, to submit data to the Department that is coded
8 as "present on admission" and "present on discharge". This
9 subsection (b-10) is inoperative after December 31, 2010.

10 (c) The hospital shall send the letter of notification
11 within 72 hours after a confirmed diagnosis of any of the
12 communicable diseases listed by the Department pursuant to
13 subsection (b), except confirmed diagnoses of Acquired
14 Immunodeficiency Syndrome (AIDS). If there is a confirmed
15 diagnosis of AIDS, the hospital shall send the letter of
16 notification only if the police officers, firefighters,
17 emergency medical technicians, or ambulance personnel have
18 indicated on the ambulance run sheet that a reasonable
19 possibility exists that they have had blood or body fluid
20 contact with the patient, or if hospital personnel providing
21 the notification have reason to know of a possible exposure.

22 (d) Notification letters shall be sent to the designated
23 contact at the municipal or private provider agencies listed on
24 the ambulance run sheet. Except in municipalities with a
25 population over 1,000,000, a list attached to the ambulance run
26 sheet must contain all municipal and private provider agency

1 personnel who have provided any pre-hospital care immediately
2 prior to transport. In municipalities with a population over
3 1,000,000, the ambulance run sheet must contain the company
4 number or unit designation number for any fire department
5 personnel who have provided any pre-hospital care immediately
6 prior to transport. The letter shall state the names of crew
7 members listed on the attachment to the ambulance run sheet and
8 the name of the communicable disease diagnosed, but shall not
9 contain the patient's name. Upon receipt of such notification
10 letter, the applicable private provider agency or the
11 designated infectious disease control officer of a municipal
12 fire department or fire protection district shall contact all
13 personnel involved in the pre-hospital or inter-hospital care
14 and transport of the patient. Such notification letter may, but
15 is not required to, consist of the following form:

16 NOTIFICATION LETTER

17 (NAME OF HOSPITAL)

18 (ADDRESS)

19 TO:..... (Name of Organization)

20 FROM:.....(Infection Control Coordinator)

21 DATE:.....

22 As required by Section 6.08 of the Illinois Hospital
23 Licensing Act,(name of hospital) is hereby providing
24 notification that the following crew members or agencies
25 transported or provided pre-hospital care to a patient on
26 (date), and the transported patient was later diagnosed as

1 having(name of communicable disease):(list of crew
2 members). The Hospital Licensing Act requires you to maintain
3 this information as a confidential medical record. Disclosure
4 of this information may therefore result in civil liability for
5 the individual or company breaching the patient's
6 confidentiality, or both.

7 If you have any questions regarding this patient, please
8 contact me at(telephone number), between(hours).
9 Questions regarding exposure or the financial aspects of
10 obtaining medical care should be directed to your employer.

11 (e) Upon discharge of a patient with a communicable disease
12 to emergency personnel, the hospital shall notify the emergency
13 personnel of appropriate precautions against the communicable
14 disease, but shall not identify the name of the disease.

15 (f) The hospital may, in its discretion, take any measures
16 in addition to those required in this Section to notify police
17 officers, firefighters, emergency medical technicians, and
18 ambulance personnel of possible exposure to any communicable
19 disease. However, in all cases this information shall be
20 maintained as a confidential medical record.

21 (g) Any person providing or failing to provide notification
22 under the protocol required by this Section shall have immunity
23 from any liability, either criminal or civil, that might result
24 by reason of such action or inaction, unless such action or
25 inaction is willful.

26 (h) Any person who willfully fails to provide any

1 notification required pursuant to an applicable protocol which
2 has been adopted and approved pursuant to this Section commits
3 a petty offense, and shall be subject to a fine of \$200 for the
4 first offense, and \$500 for a second or subsequent offense.

5 (i) Nothing in this Section shall preclude a civil action
6 by a firefighter, emergency medical technician, or ambulance
7 crew member against an emergency services provider agency,
8 municipal fire department, or fire protection district that
9 fails to inform the member in a timely fashion of the receipt
10 of a notification letter.

11 (Source: P.A. 92-363, eff. 1-1-02.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."